

**TOWN OF SOMERS
PLANNING COMMISSION**

**REGULAR MEETING
OCTOBER 13, 2011
TOWN HALL – 7:00 P.M.**

CALL TO ORDER:

Chairman: Bradley Pellissier called the regular meeting to order at 7:00 p.m. Members present: Greg Genlot, William Salka, Scott Sutter. Also present: Jeffrey Bord, Director of Public Works/Town Engineer.

PUBLIC HEARING:

Chairman Bradley Pellissier called meeting for the first order of business with the Public Hearing Provisions with Conditions of Approval. Mr. Pellissier asked for a reading of the letter. Mr. Bord reported this meeting was called to order to hear the following:

Mr. Bord read the "Legal Notice" Special Use Permit for modification to existing ARH approval at 31 South Road, Map 5-Block 71 Shady Lake LLC. Received application in Town Clerk's Office in Somers, CT dated September 29, 2011 and was published in the Journal Inquirer on September 30, 2011 and October 7, 2011.

Attorney Schober approached on behalf of Shady Lake LLC and made mention that Mr. Frangiamore will also be able to answer any questions. Attorney Schober brought the same map that he had three weeks ago. Map was approved and is on file. Attorney Schober is asking for modification to note #2 on the map and it was also a Condition of Approval which states each dwelling should be limited to maximum of one bedroom. Modifications will go to the 2 and possibly 3 bedroom units. Mr. Schober also stated he is looking for max of 33 bedrooms and to reduce overall units and which will leave more Open Space. Most units sold would be 2 bedroom units. That is where the interest is. No interest in 1 or 3 bedroom units. Every time a unit is sold we will subtract the bedrooms from the total and when there are zero bedrooms that means there are no more units available to build. In addition with the application, Attorney Schober submitted a substitute note for Note#2 on the plan which states the development will contain 29 units and max of 33 bedroom total.

Mr. Bord mentioned he received a memo from Steve Jacobs stating he is in agreement with what is proposed.

Attorney Fahey said these units are all the original ones. Attorney Fahey expressed concern of whether it meets regulations. ARH Regulation states no more than three residents to a unit. Is that true for three bedrooms units? Because otherwise there will be a need to change the regulations. Mr. Franchmore said the Deed restrictions remain the same. There is a clause on the sale.

Attorney Schober has not reviewed the By-Laws. Any change to the regulations requires a majority vote. Attorney Schober will be drafting changes to the documents once it has been approved. Doesn't seem there will be an issue. The land is owned entirely by the association. It would not be a zoning issue.

Attorney Fahey wants to make sure it is in accordance with the regulations. The existing owners maintenance is shared three ways. Everyone benefits from this. If someone has a problem with it, they have an opportunity to come to the Public Hearing. Each owner should have one vote.

Attorney Fahey asked if we are still going with the ARH regulations. Everyone reviewed the map. People feel that they are paying a lot for a one bedroom unit. Since day one Mr. Frangiamore wanted to build two bedroom units. There are 29 units shown in the map.

Attorney Fahey wants Mr. Frangiamore to amend the plan. There should be a running total of the amount of bedrooms. Attorney Fahey suggested we file an amended map. Every time you build a bedroom you should file an amended map.

Mr. Pellissier suggested there should be another note added. Mr. Frangiamore said it could probably say the second phase yet to be determined based on bedroom count.

Mr. Pellissier asked if there were any Public Comments. There weren't any comments from the public. Mr. Pellissier moved to accept the modifications on the site plans and replace note #2 on approved plan to the following:

The development shall contain up to 29 dwelling units with a maximum of 33 bedrooms. The Certificate of Occupancy and Deed for each dwelling unit shall indicate the number of bedrooms contained in said dwelling unit. In addition, By-Laws will be acceptable to the Town Attorney, HOA approves changes if required by documents, Phase Line will be determined, bedroom count will be kept by Building Department and after development completion, a final as-built will be filed in the land department. The changes to the units will be up to 29 bedrooms total. Fire Department still has all the access and should stay in the first phase.

Mr. Genlot made motion and was seconded by Mr. Salka to close the public hearing and all were in favor and the motion was carried.

AUDIENCE PARTICIPATION: None

OLD BUSINESS:

Shady Lake Estate - Revisions to Conditions of Approval

Mr. Sutter suggested to replace Note 2 on approved plan with the following:

The development shall contain up to 29 dwellings units with a maximum on 33 bedrooms total for all dwelling units. Dwelling units may contain one, two or three bedrooms. The certificate of occupancy and deed for each dwelling unit shall indicate the number of bedrooms contained in said dwelling unit. By-Laws will be acceptable to the Town Attorney, HOA approves changes if required by documents, Phase Line will be determined, bedroom count will be kept by Building Department and after development completion, a final as-built will be filed in the land department.

Mr. Genlot made motion and was seconded by Mr. Salka and all were in favor and the motion was carried.

STAFF REPORTS:

Mr. Bord handed out the ADDRESS COMMUNITY NEEDS form from the POCD. Mr. Salka mentioned that this will be given to the intern that will be helping over the next couple of months.

First Selectman Pellegrini stated if there were checkmarks on the form that indicates it has been completed. A few notes have been added. *Woodcrest Phase I completed. Woodcrest Phase II in process Somers Village all set. Shady Lake. **Should be moved up in priority. ***No plan to enlarge Town Hall. Priority in repairing infrastructure. PM Maintenance procedures now in place.

Under the Address Changing Housing Needs. Nos# 1 and 2 were completed. No.# 4 is ongoing. Nos.# 5 and 6 spoke with John Collins in Zoning and he wants to know if that has been discussed. Mr. Pellissier said it looks like we need to have a discussion with the commission about it. First Selectman Pellegrini said they are not going to enlarge Town Hall, however, they will be updating infrastructure of town. They have converted the State Trooper's Office to the multi-purpose room and the plan to enlarge the library has been done. Nos.# 6 and 7 on the following

page were done. Nos# 8-10 She needs to talk to the fire department about No.#8. Spoke with John about Nos.#9 and 10 (hold off on No.#10 looking to revising building code) No.#11 - In the process of putting new antennas on the buildings. No.# 12. Ongoing. Wants FEMA funding for this. No.13 not feasible. No#. 14 has been done.

No.# 15 quoted by a couple of different companies. Working on reduction of handling solid waste. No.# 16 is ongoing. No.#18 wrote and grant for this one and got denied. No.#19 Should get BOE involved not BOS. No.#20 (not quite sure what you mean by this one). There is a potential for improvement and people have good ideas. Nos.#21 and 22 (no idea yet). First Selectman Pellegrini also stated the large land track owners are concerned about Open Space.

Mr. Sutter asked how long a subdivision can sit before it can actually be developed. Mr. Genlot replied six years.

Mr. Bord discussed Somerset Lane Easement for Sprinkler System. Jim O'Hearn is taking care of land and wants to install a sprinkler system. He is talking about getting a solar power pump.

Mr. Bord handed out meetings dates for next year and wants the commission to review.

Mr. Pellissier asked when the annual report will be completed. Mr. Bord replied that it he will have something to review for the next meeting.

APPROVAL OF MINUTES:

September 22, 2011 minutes were approved.

Mr. Sutter made the motion and Mr. Genlot seconded. All in favor in the motion carried.

ADJOURNMENT:

Mr. Sutter motioned to adjourn the meeting and Mr. Genlot seconded it. All were in favor and the motion carried.

Respectfully submitted,

William Salka, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING